

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 92-CR-80236-DT

FELIX WALLS,

Defendant.

ORDER DENYING DEFENDANT’S “[MOTION] FOR RECUSAL”

Defendant Felix Walls has presented the court yet another motion¹ seeking disqualification of this judge. Defendant offers no new facts or any additional reasons why disqualification is called for, but persists in his futile and frivolous attempt to challenge a judge based on nothing more than unfavorable rulings. The court has explained in its earlier orders that disqualification is governed by 28 U.S.C. § 455 and “[i]n order to justify recusal under 28 U.S.C. § 455, the judge’s prejudice or bias must be personal or extrajudicial.” *United States v. Jamieson*, 427 F.3d 394, 405 (6th Cir. 2005) (citing *United States v. Hartsel*, 199 F.3d 812, 820 (6th Cir. 1999)). Defendant’s allegations of conflict of interest relate solely to the court’s rulings rendered while presiding over Defendant’s criminal trial and subsequent motions.² Defendant’s request for disqualification is baseless, and will be denied.

¹ See, e.g., 6/9/2010 Order; 6/28/06 Order; 5/09/06 Order; 10/23/02 Order; 9/17/02 Order.

² Defendant refers to a “cloud of suspicion and doubt that exists” in the case. The court believes that the only source of any possible cloud is the Defendant’s activities –or imagination– and not any act done or avoided by the court.

To the extent Defendant's motion can be construed as a motion for reconsideration of one or more earlier denials, he has not shown either (1) "a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled" or (2) "that correcting the defect will result in a different disposition of the case," as is required under the local rules. E.D. Mich. LR (h)(3). Accordingly, for the reasons stated in this as well as in the previous orders in this case,

IT IS ORDERED that Defendant's "[Motion] for Recusal" [Dkt. # 661] is DENIED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: June 18, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 18, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522